

Griesa, J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE TREMONT SECURITIES LAW, STATE
LAW AND INSURANCE LITIGATION :

Master File No.
08 Civ. 11117 (TPG)

This Document Relates to: :

YALE M. FISHMAN 1998 INSURANCE :
TRUST, Individually and on Behalf of All Others :
Similarly Situated and Derivatively on Behalf of :
the Nominal Defendants, :

11 Civ. 1283 (TPG)

Plaintiff,

- against -

PHILADELPHIA FINANCIAL LIFE
ASSURANCE COMPANY F/K/A AGL LIFE
ASSURANCE COMPANY, et al.

Defendants.

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YALE M. FISHMAN 1998 INSURANCE
TRUST, et al., Individually and on Behalf of All :
Others Similarly Situated and Derivatively on :
Behalf of the Nominal Defendants, :

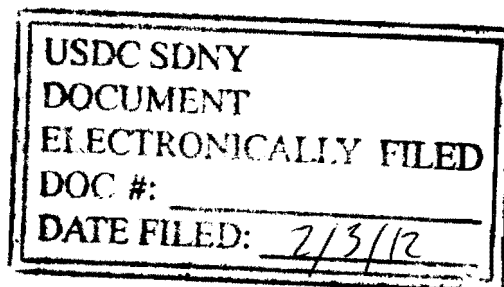
11 Civ. 1284 (TPG)

- against -

GENERAL AMERICAN LIFE INSURANCE
COMPANY, et al.,

Defendants.

ECF CASES
Electronically Filed



**STIPULATION AND ORDER
OF DISMISSAL OF DEFENDANT TIMOTHY BIRNEY**

IT IS HEREBY STIPULATED AND AGREED, by and between the
undersigned counsel for plaintiffs and defendant Timothy Birney, that defendant Timothy
Birney shall be and hereby is dismissed from the above-captioned actions pursuant to

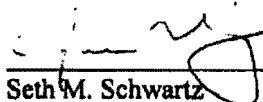
Rule 41 of the Federal Rules of Civil Procedure, without prejudice, with each party to bear its or his own costs.

Dated: January 30, 2012



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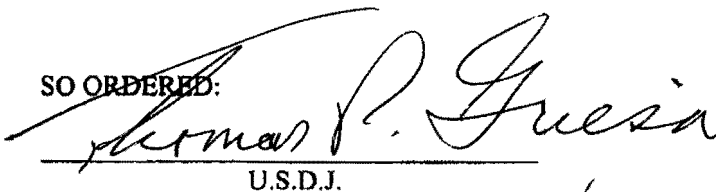
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Counsel for Defendant Timothy Birney

SO ORDERED:



Thomas P. Griesa
U.S.D.J.

2/7/12